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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BROWN, MARTIN, HALLER & MCCLAIN LLP
1660 UNION STREET
SAN DIEGO, CA 92101-2926

EXAMINER

LABAZE, EDWYN

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,934

Applicant(s)

HILTON ET AL.

Examiner

EDWYN LABAZE

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 6) ☐ Other: _____

Art Unit: 2876

DETAILED ACTION

1. Receipt is acknowledged of IDS filed on 2/20/2002.
2. Claims 1-23 are presented for examination.
3. This application claims the benefits of provisional application # 60/270,078 filed on 02/20/2001.

Claim Objections

4. Claims 6 and 18 are objected to because of the following informalities:

Re claims 6 and 18 (page 12, line 85 and page 14, line 95): The applicant recites the limitation "said owner". There is insufficient antecedent basis for this limitation in the dependent claims. The applicant is respectfully requested to substitute "said owner" with "said user".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

Art Unit: 2876

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-6, 11-18, and 23 are rejected under 35 U.S.C. 102(e) as being unpatented by Bonneau, Jr. et al. (U.S. 6,394,346).

Re claims 1 and 12: Bonneau, Jr. et al. discloses contactless smart card high production encoding machine, which includes a transport 44, 46 and rotator 52, 54 (col.5, lines 29+), said transport and rotator comprising an input bezel/insertion slot 110 for receiving a card 2 from a user (col.5, lines 20+); and a rotating transport carrier 52, coupled to the input bezel 110, for directing the card 2 under a reader/writer antenna 10, 14 for determining the status of the card (col.3, lines 30-67 and col.5, lines 25+); and a storage area 102, coupled to the transport and rotator, for storing and re-circulating/reusing the card (See Fig. # 2 of Bonneau, Jr. et al.; col.9, lines 50+), the storage area comprising of first stacker 116 (col.9, lines 52+); and a second stacker 118, coupled to the first stacker, wherein the first stacker and second stacker having first and second feeder mechanisms separate a top card from a card stack and move the top card through a guide channel into the transport and rotator (col.5, lines 30+), further comprising a reader/writer antenna 10 for determining the status of the card (col.5, lines 27+).

Re claims 2 and 14: Bonneau, Jr. Et al. teaches an apparatus, wherein the storage area further comprises a first bin 122; and a second bin coupled the first bin 120 (See Fig. # of Bonneau, Jr. et al., and col.9, lines 50+).

Art Unit: 2876

Re claims 3 and 15: Bonneau, Jr. et al. discloses an apparatus, wherein if the card is damaged (or if the card is rejected for a specific standard) or is unable to communicate with the reader/writer antenna 10, the card is transported to the first bin 122 (col.9, lines 60+).

Re claims 4 and 16: Bonneau, Jr. Et al. teaches an apparatus, further comprising a host computer or processor 232, coupled to the transport and rotator, for processing information retrieved from the card (See Fig. # 3 of Bonneau, Jr. et al., and col.5, lines 45+), and a micro-controller board 234, coupled to the host computer/processor 232, for receiving the status of the card from the reader/writer antenna 10, 14 (col.10, lines 66+).

Re claims 5 and 17: Bonneau, Jr. et al. discloses an apparatus, further comprising a reader/writer control 236 238, coupled to the reader/writer antenna 10 and/or 14, for instructing the reader/writer antenna 10 whether to encode or read information from the card (col.11, lines 1+).

Re claims 6 and 18: Bonneau, Jr. et al. discloses an apparatus, wherein an owner or operator determines where the card will be dispensed from the machine (col.10, lines 22+).

Re claims 11 and 23: Bonneau, Jr. et al. teaches an apparatus, wherein the card is selected from a group consisting of smart cards 2, magnetic cards and security passes (col.5, lines 20+).

Re claim 13: Bonneau, Jr. et al. discloses an apparatus, further comprising a rotator transport carrier 44, coupled to the input bezel, for directing the card 2 under the reader/writer antenna 10 (col.5, lines 30+).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2876

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7-10 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonneau, Jr. et al. (U.S. 6,394,346) in view of Kawaji et al. (U.S. 5,854,447).

The teachings of Bonneau, Jr. et al. have been discussed above.

Bonneau, Jr. et al. fails to teach means a first and second drive mechanism for raising and lowering the card stack located in the stackers.

Kawaji et al. discloses reusable ticket processing apparatus and ticket regenerating apparatus, which includes a first and second drive mechanism for raising 3b and lowering 3a the card stack located in the stackers (col.4, lines 1+).

In view of the teaching of Kawaji et al., it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a first and second drive mechanisms into the teaching of Bonneau, Jr. et al. so as to control the card deployment (storage and/or removal) of the cards in and out of each stacker. Furthermore, such modification would provide permanent card feeding from the stacker where new cards are used in replacement of defective/damaged cards as detected by the sensor/detectors, and storage capability when lowering the card stack in order to store/hold into the stacker any defective/damaged card. Moreover, the control processor separately operates both mechanisms, and such modification would have been an obvious extension as taught by Bonneau, Jr. et al.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2876

Nagashima et al. (U.S. 5,250,793) teaches conveying apparatus for ticket processing machine.

Stromberg (U.S. 5,450,051) discloses electronic transit fare card system.

Ormerod et al. (U.S. 6,283,368) teaches high speed customizing machine.

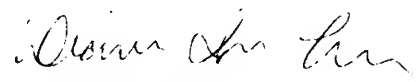
Katou et al. (U.S. 6,474,549) bill deposit/withdrawal machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (703) 305-5437. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
June 4, 2003


DIANE I. LEE
PRIMARY EXAMINER